



LOWEY DANNENBERG.P.C.

March 28, 2019

**BY ECF**

The Honorable Alvin K. Hellerstein  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

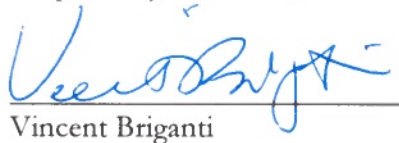
Re: *Fund Liquidation Holdings LLC v. Citibank N.A.*, No. 16-cv-05263 (AKH)

Dear Judge Hellerstein:

We represent Plaintiff and write in response to the Non-Settling Defendants'<sup>1</sup> March 25, 2019 letter (ECF No. 379). Once again, the Non-Settling Defendants gratuitously attempt to disrupt a settlement to which they are not parties and in which they have no interest. Their opinions on when the Court should resolve Plaintiff's preliminary approval motion have no value.

In contrast to *Frank v. Gaos*, No. 17-961, 2019 WL 1264582, at \*3 (Mar. 20, 2019), this Court has already found that former plaintiff FrontPoint Event Driven Fund L.P. ("FrontPoint") had Article III standing to sue; that FrontPoint assigned its claim to Fund Liquidation Holdings LLC ("FLH"); and that FLH was entitled to substitute as Plaintiff. See *FrontPoint Asian Event Driven Fund L.P. v. Citibank N.A.*, No. 16-cv-05263 (AKH), 2017 WL 3600425, at \*9 (S.D.N.Y. Aug. 18, 2017); *FrontPoint Asian Event Driven Fund L.P. v. Citibank N.A.*, No. 16-cv-05263 (AKH), 2018 WL 4830087, at \*11 (S.D.N.Y. Oct. 4, 2018). Accordingly, the "named plaintiff" (FLH) has Article III standing, and *Frank* poses no obstacle to this Court's ruling on Plaintiff's preliminary approval motion.

Respectfully submitted,

  
Vincent Briganti

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<sup>1</sup> The self-styled "Non-Settling Defendants" are Bank of America, N.A., The Royal Bank of Scotland plc, UBS AG, BNP Paribas, S.A., Oversea-Chinese Banking Corporation Ltd., Deutsche Bank AG, Credit Agricole Corporate and Investment Bank, Credit Suisse AG, Standard Chartered Bank, DBS Bank Ltd., United Overseas Bank Limited, Australia and New Zealand Banking Group, Ltd., The Bank of Tokyo-Mitsubishi UFJ, Ltd., and The Hongkong and Shanghai Banking Corporation Limited.